



17264 U.S. PTO

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PTO/SB/05 (01-04)
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCEUTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	298-228
First Inventor	Hoermann
Title	CONTROLLED DEVICE . . .
Express Mail Label No.	EL995745324US

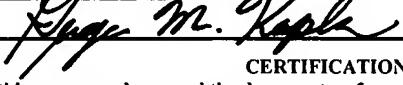
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification [Total Pages 9] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	a. <input type="checkbox"/> Computer Readable Form (CRF)
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 2]	b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper
5. Oath or Declaration [Total Sheets 6] a. <input checked="" type="checkbox"/> Newly executed (original or copy)	c. <input type="checkbox"/> Statements verifying identity of above copies
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) <input type="checkbox"/> Attorney	
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS - Citations	
13. <input checked="" type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 9 pages of German Text	
17. <input checked="" type="checkbox"/> Other: Check for \$385.00 & \$40.00	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:Prior application information: _____ Examiner: _____ Art Unit: _____
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	28249	OR	<input type="checkbox"/> Correspondence address below
Name	Rocco S. Barrese, Esq.		
Address	DILWORTH & BARRESE, LLP 333 Earle Ovington Boulevard		
City	Uniondale	State	New York
Country	USA	Telephone	(516) 228-8484
Name (Print/Type)	George M. Kaplan	Registration No. (Attorney/Agent)	28,375
Signature		Date	February 18, 2004

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on the date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL995745324US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 18, 2004


George M. Kaplan

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PATENT
Atty. Docket No. 298-228

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. §1.76

Transmitted herewith for filing is the patent application of

Inventor(s): Michael Hoermann

For: CONTROLLED DRIVE FOR A GARAGE DOOR SECTION OR THE LIKE
Enclosed are:

6 page(s) of specification

1 page(s) of abstract

2 page(s) of claims (1-8)

2 sheet(s) of drawings formal informal (Figs. 1-3)

7 page(s) of preliminary amendment

9 page(s) of German Language Text

6 page(s) of Executed Declaration and Power of Attorney

Assignment of the invention to Marantec Antriebs-und Steuerungstechnik GmbH & Co. KG

Information Disclosure Statement

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date February 18, 2004 as "Express Mail Post Office to Addressee" Mail Label Number EV995745324US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 18, 2004


George M. Kaplan

This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

[] Certified copy of application

<u>Country</u>	<u>Appln. No.</u>	<u>Filed</u>
GERMANY	UM 203 02 633.0	February 18, 2003

from which priority under Title 35 United States Code, § 119 is claimed

[] is enclosed.

[*] will follow.

CALCULATION OF UTILITY APPLICATION FEE *

For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
TOTAL CLAIMS **	20-20	9	x 18 =	\$0.00
INDEPENDENT CLAIMS	1-3	0	x 86 =	\$0.00
<input type="checkbox"/> Multiple Dep. Claim			290	\$0.00
				TOTAL \$770.00

- Small Entity Status is claimed Under 37 C.F.R. § 1.27. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$385.00.
- The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.
- Check in the amount of \$385.00 to cover the filing fee(s) is attached.

* Based upon accompanying Preliminary Amendment

** includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. § 1.75(c).

Charge fee to Deposit Account No. 04-1121.
TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. **04-1121**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **04-1121** therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Date: February 18, 2004



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